

# District 25 News

MAKIKI, TANTALUS, MCCULLY, PAPA KOLEA

MAY 2009

Aloha Neighbors!

On May 8, 2009, the State Legislature convened one of its most difficult sessions since Statehood with a balanced budget and a series of veto overrides. This month's newsletter focuses on some of the bills enacted by the Legislature, the process by which Governor Linda Lingle can enact or veto these measures into law, and the veto override process that can occur this summer.

While the Legislature can reconvene for a simple veto override session in July 2009, budget challenges still loom ahead and further shortfalls provide an added complication to this year's prospects for legislative special sessions. By July 2009, the Council of Revenues will have released its June 1<sup>st</sup> projections for state revenues. If, as it is widely anticipated, the Council reports a decline in revenues, this will result in an even larger budget shortfall that will require further legislative and executive action.

In 2001, after the terrorist attacks of September 11<sup>th</sup> and the economic downturn Hawaii was experiencing at that time, Governor Ben Cayetano called the Legislature into special session. During this session, 15 laws were enacted that, in part, provided emergency funding for food and financial assistance, implemented an immediate marketing plan to bolster the lagging tourist economy, authorized funding of public works construction projects including the building of the new medical school, established funding for an emergency environmental workforce to provide short-term employment, created a temporary program of health insurance for growing numbers of unemployed persons, and increased the thresholds for taxpayers filing taxes and thereby reduced the filing burdens.

With the various options available to the Legislature during the interim and in the 2010 session, balancing the State's budget while maintaining and preserving core government services will be the two primary challenges confronting the legislative and executive branches.

As we navigate through these uncertain economic waters, I will be on the job and available for whatever the Legislature may be called upon to do. As always, please feel free to contact me.

With warmest aloha,



Della Au Belatti  
State Representative, District 25



APRIL 15, 2009—Community Coffee Talk and public forum at One Kalakaua, *(above)* Rep. Belatti and resident converse about neighborhood concerns.

*(below)* Guest speakers from HPD, residents, and Rep. Belatti are smiles after an informative presentation by the officers on community law enforcement issues.



# It's not over yet

*While the Legislative Session has concluded,  
the struggle to pass many key bills is far from finished*

The 2009 Hawai'i State Legislature has had one of the most challenging sessions in the state's 50-year history. With a tremendous budget shortfall of over \$2 billion, rising unemployment, pressing environmental concerns, skyrocketing healthcare costs, and a host of other crucial issues, legislators were forced to make very tough choices to keep jobs intact, ensure the proper functioning of our infrastructure, and maintain the operation of crucial services for those in need. Of the thousands of bills that have moved through hundreds of committee meetings and floor votes, only a few hundred stay alive long enough to finally arrive upon the Governor's desk for her signature. This elite group of bills makes it all that way, only to face the very real possibility of being vetoed once they get there.




## THE NEXT STEP: Sign it, veto it, or...neither?

Once a bill is passed by the House and the Senate, the Governor has four options:

- (1) The Governor can sign the bill into law, and the bill becomes an Act, which is then entered into 2009 Session Laws and, if applicable, the Hawaii Revised Statutes.
- (2) She can veto the bill, which means the bill is dead—unless the House and the Senate can both come up with enough votes to override the veto (more on that later).
- (3) If the bill provides funds to any program or service other than the Legislature or the judicial branch, she can sign the bill, but also choose to decrease or remove the dollar amount that the bill would allocate. This “line item veto” also can be overridden by the Legislature.
- (4) Finally, the Governor can choose not to sign the bill, and here the rules get a little trickier:

If a bill has been presented to the Governor ten or more days before the end of Legislative session on

May 8<sup>th</sup> (the official term for which is *sine die*, pronounced 'sign-ah dye-ee'), and the Governor takes no action to either sign or veto the bill before session ends, then that bill *automatically becomes a law, even without her signature*. If the bill makes it to the governor's desk less than ten days before the end of the session, she has an additional 45 days after the session to review and consider the bill, and as long as she gives the Legislature 10 days' written notice of her intent to veto, she can do so at will. If she still takes no action by the 10-days' notice deadline (June 29, 2009 for this year's session), that bill will *automatically become a law* at the end of the 45-day extension **on July 15<sup>th</sup>**.



## DOWN, BUT not OUT: The veto override process and beyond

In many states, as in our federal government, the Governor's and President's veto is an extremely powerful and often insurmountable tool. A two-thirds majority vote in both the Senate and the House is required to successfully override a veto, and in legislatures where the distribution of Republicans and Democrats is fairly even, it becomes very difficult to get enough legislators to cross party lines and attain that elusive two-thirds majority. However, Hawaii happens to be one of only seven states in which the Legislature is overwhelmingly Democratic, while the Governor is Republican. This makes a successful veto override a much more real threat, and a much more common practice, than in many other places.

The Legislature and the Governor have a long road ahead to balancing this year's budget and ensuring the state's functionality and fiscal security. In many cases, they will be forced to find a lesser of two evils, picking between layoffs and employee benefit reductions; deciding which special programs get funding and which receive budget cuts; and determining whether to increase taxes or cut services. With the various disparate

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# Prospects for final passage of 2009 legislation

By DELLA AU BELATTI

This year, the Legislature passed 250 bills for Governor Linda Lingle to consider for enactment before July 15<sup>th</sup>. While the vast majority of the bills passed by the Legislature should be enacted, Makiki residents may be interested in the following four bills that I believe are especially worthy of the Governor's signature:

## (1) Senate Bill 605 Relating to Noise – Although

this bill does not address the full range of noise issues that plague urban neighborhoods, it is an important step in addressing deep, low-frequency noises heard on a nightly basis in urban areas. These low-frequency sound waves are not perceived by the human ear as measured in decibels by the dBA weighting system. Rather, these sounds, which can cause windows and walls to vibrate, can be measured using the dBC weighting system. This bill addresses low-frequency noise problems by:

- ♦ Requiring the Department of Health to use both the dBA and dBC weighting systems in regulating noise;
- ♦ Imposing reasonable maximum sound levels in accordance with the dBC weighting system between 10:00 pm and 7:00 am; and
- ♦ Empowering the counties to develop recommendations and implement the maximum sound levels through the county liquor commissions.

## (2) House Bill 1809 Relating to Recycling

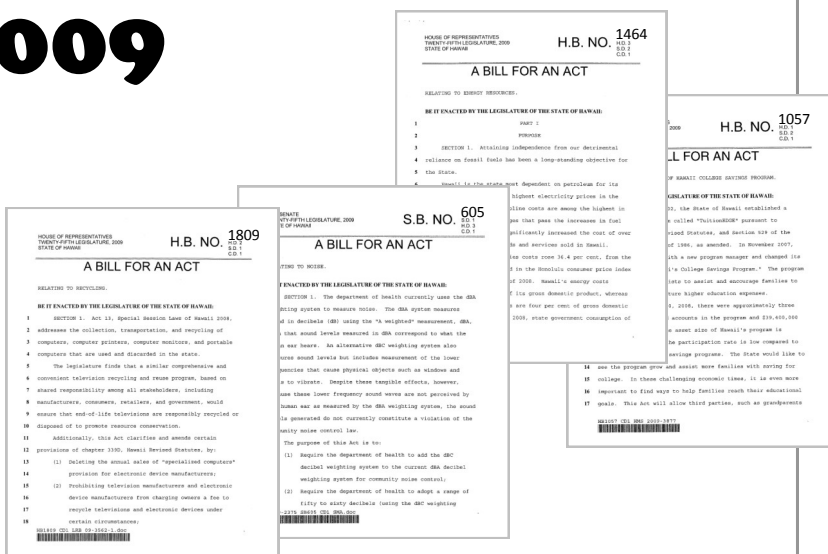
– This bill will reduce the amount of televisions going into Hawaii's solid waste

stream and landfills by requiring television manufacturers to recycle or arrange for the recycling of televisions sold in the State pursuant to a plan approved by the Department of Health. Like the electronic waste law enacted in 2008, this bill imposes a similar comprehensive and convenient television recycling and reuse program based on shared responsibility among manufacturers, consumers, retailers, and government—all of whom have a role in reducing Hawaii's solid waste.

## (3) House Bill 1057 Relating to the State of Hawaii College Savings Program – This bill encourages investment in our children's futures by allowing third parties (ie. grandparents and other family members) to make contributions directly into a State-established HI529 college savings account for designated beneficiaries.

Created in 2002, Hawaii's college savings plan is relatively small with approximately 3,700 accounts in the program. Hawaii's participation rate is also low in comparison to other states' college savings pro-

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# The Legacy of Papakolea

*A native Hawaiian community marks  
75 years of challenges & triumphs*



By MATT WINFREE

Papakolea Hawaiian Homestead, one of the first native Hawaiian homelands recognized by the state, is celebrating its 75<sup>th</sup> anniversary this year. On April 7, The House of Representatives, led by Representative Belatti and Representative Sylvia Luke, hosted a floor presentation and a reception honoring the historic Hawaiian community and the various organizations that help it continue to grow and thrive.

Honored guests on the House floor included Lionel Wright, President of the Papakolea Community Association, Annie AuHoon, President of the Kewalo Hawaiian Homestead Community Association, Denise Kaaa, President of the Kalawahine Streamside Association, Harold Johnston, President of the Papakolea Community Development Corporation, Aloha Kakaina, Board Member of Kula no na Poe Hawaii, and Uncle Bob Freitas, a respected kupuna and lifelong resident of Papakolea.

## A Brief History of the Homestead

To get a sense of what Papakolea must have been like before its designation as an official Hawaiian Homestead 75 years ago requires a little imagination. One must take a step back in time--to the days before statehood, before the Hawaiian Homes Commission, before the high-rises and dense urban expansion that characterize our metropolis today--to the times of the very first settlers of Papakolea in the 1890s. Imagine sweet potato and taro fields flourishing up the slope

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APRIL 6, 2009 (above, L-R)—

Rep. Della Au Belatti (D-Makiki, Tantalus, McCully, Papakolea); Aloha Kakaina, Board Member of Kula no na Poe Hawaii; Annie AuHoon, President of the Kewalo Hawaiian Homestead Community Association; Lionel Wright, President of the Papakolea Community Association; kupuna Uncle Bob Freitas; Rep. Sylvia Luke (D-Dowsett Highlands, Pacific Heights, Punchbowl, Punchbowl, Papakolea); Harold Johnston, President of the Papakolea Community Development Corporation on the chamber floor of the House of Representatives after the presentation of the House certificate commemorating 75 years of Papakolea. (below, L-R)—Rep. Belatti, Uncle Bob, and Rep. Luke say “Aloha” at the reception held at the State Capitol for the presentation honorees and guests.

of the Koolau Mountains. Imagine fishermen pulling freshwater shrimp from the Pauoa Stream. Imagine modest wood frame houses, foot paths, and a community of families living off of the land the Hawaiian way: simply, practically, and always with respect and love for the aina.

Of course, the growth and development of urban Honolulu eventually began to intrude upon the lives of Papakolea's first settlers. The Public Lands Commission began a restrictive land licensing process in 1919, and when the Commission attempted to put portions of the land up for public auction in 1923, it spurred Hawaiian residents into action. After more than a decade of great adversity, the relentless effort of the people of Papakolea, spearheaded by Hawaiian leaders like Thomas Maunupau and Princess Abigail Kawanānākoa, was finally met with success on May 16, 1934—the day that Papakolea, Kewalo, and Kalawahine were designated as official Hawaiian Homelands under the Hawaiian Homes Commission Act.

Today, Papakolea stands as a testament to the spirit of community cooperation. Where once there were only dirt walking paths and tin-roof houses, there are now beautiful homes, parks, playgrounds, and a thriving community center. Childcare services, educational workshops, and healthcare programs have sprung up for needy residents. And of course, great people have emerged from the Papakolea ohana, from the six individuals who were recognized during the floor presentation, the 20 more who attended in the gallery above, and some famous names you may know—like the late great musical icon, business woman, and mother of twelve, Auntie Genoa Keawe, and the incomparable entertainer Uncle Danny Kaleikini.

grams. With this simple amendment to the overall college savings program, this bill will encourage more people to save for future higher education expenses.

**(4) House Bill 1464 Relating to Energy Resources** – This omnibus energy bill is broad in scope and lays a stronger foundation for energy efficiency and energy self-sufficiency in our island state. This bill supports the efficient use of energy by:

- ♦ Requiring the establishment of energy-efficient portfolio standards to maximize cost-effective energy-efficiency programs and technologies;
- ♦ Providing the means for energy efficiency in public buildings;

- ♦ Requiring electricity-cost disclosure in the sale of residential property;
- ♦ Establishing a building energy-efficiency loan program; and
- ♦ Authorizing deposits of federal and private funds with the Public Utilities Commission's energy-efficiency and demand-side management program.

This bill also encourages the development of renewable energy by:

- ♦ Increasing the required use of renewable energy by electric utilities; and
- ♦ Requiring the pertinent government agencies to provide more assistance in the development and permitting of renewable energy projects.

**O**n May 8, 2009, the Governor invited the public, including individuals, businesses, industry and professional associations, nonprofit groups, community organizations, and other government agencies to provide public input on all the bills awaiting her signature.

A list of all these bills along with useful links to testimony, com-

mittee reports, and drafts can be found at <http://www.capitol.hawaii.gov/session2009/lists/RptMeasuresPassed.aspx>.

I hope you will review the bills I have pointed out, do further research on those bills you think are important, and join me in urging the Governor to enact those bills that will ensure a better future for all of Makiki and all of the State.

Comments may be sent to the Governor's office as follows:

E-MAIL: [gov.policy@hawaii.gov](mailto:gov.policy@hawaii.gov) or [governor.lingle@hawaii.gov](mailto:governor.lingle@hawaii.gov)

FAX: (808) 586-0006

MAIL: Office of the Governor  
Hawaii State Capitol, Executive Chambers  
Honolulu, HI 96813

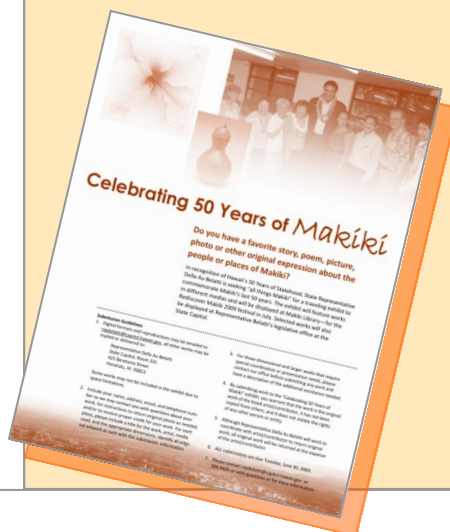


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options available to the Legislature and Governor for balancing this year's tight budget, it's very likely that we will see many vetoes and many overrides before the Legislature finishes its work for 2009.

So stay tuned...bills from this legislative session have one more hurdle to overcome before becoming laws. With the options provided to both the Governor and the Legislature, it should be no surprise that the Legislature will be headed back in to session for a possible veto override by July 15, 2009.

## Help celebrate Makiki by sharing your words, artwork, & handcrafts



In recognition of Hawaii's 50 Years of Statehood, Representative Della Au Belatti is seeking "all things Makiki" for a traveling exhibit to commemorate *Makiki's* last 50 years.

The exhibit will feature local works in different mediums and will be displayed at Makiki Library in the Fall 2009. Selected works will also be displayed at Rep. Belatti's legislative office at the State Capitol.

For [more information and guidelines to submit your work](http://www.makikitalks.ning.com), visit [www.makikitalks.ning.com](http://www.makikitalks.ning.com) and click on the Town Hall page to download the flyer with complete instructions and contact info.

## Arming yourself against the hazards of Mother Nature

Next month, Makiki homeowners have the opportunity to learn how to reduce the risks to family and property from the threats caused by natural hazards. The talk is hosted by Friends of the Makiki Community Learning Center ("MCLC") and Hui o Makiki, and will be held at Makiki District Park.

College Program and counsel at the office of Reinwald O'Connor & Playdon. Mr. Hwang has been working in the area of coastal zone management for over 20 years, and advises government agencies, business and community groups in the areas of land use, coastal zone management and hazard mitiga-

similar materials together to speed recovery from the tsunami and has assisted officials in Louisiana with urban revival from Hurricanes Katrina and Rita.

Mr. Hwang co-authored the 100-page publication, "*Homeowner's Handbook To Prepare for Natural Hazards*," a basic primer on emergency preparedness and evacuation planning for the homeowner and part of the June 29th talk. The publication includes "common myths" and practical information for Hawaii residents about tsunami, hurricane, earthquake and flood hazards – including lists of emergency supplies, how to prepare an evacuation kit. The handy guidebook is filled with colorful illustrations, photos, and charts, plus practical tips on what to do during hazards and how to protect one's property, such as recommendations on window protection, hurricane clips, information on wind resistive devices that may be covered by the State's Loss Mitigation Grant Program.

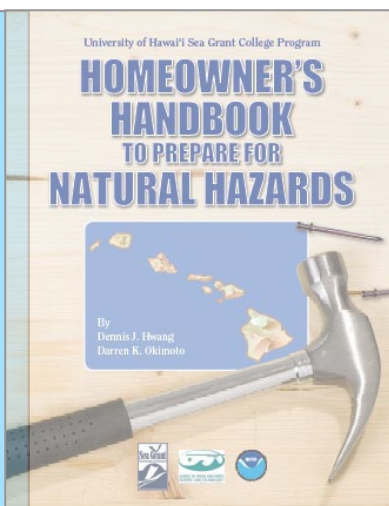
### "TIPS FOR PREPARING FOR NATURAL DISASTERS"

Monday, June 29, 2009

5:30 - 6:15pm

Makiki District Park, Arts & Crafts Building

**SPEAKER:** UH Manoa, adjunct faculty member Dennis Hwang, University of Hawaii Sea Grant College Program



The speaker is Dennis Hwang, an affiliate faculty member with the University of Hawaii Sea Grant

tion. After completing "*Hawai'i Coastal Hazard Mitigation Guidebook*," he helped Indonesia put